

LONDON FISCHER LLP

59 MAIDEN LANE
NEW YORK, NEW YORK 10038

IRVINE OFFICE
2505 McCABE WAY, SUITE 100
IRVINE, CALIFORNIA 92614
TELEPHONE: (949) 252-0550
FACSIMILE: (949) 252-0553

(212) 972-1000
FACSIMILE: (212) 972-1030
WWW.LONDONFISCHER.COM

LOS ANGELES OFFICE
355 S. GRAND AVENUE, SUITE 2450
LOS ANGELES, CALIFORNIA 90071
TELEPHONE: (213) 943-1409
FACSIMILE: (213) 943-1412

July 26, 2018

Via ECF

Honorable Judge Sidney H. Stein
United States District Court
For the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Maccarone v. Hardy, et al.*
Docket No.: 17-cv-6061
Our File No: 424.0567073

Dear Judge Stein:

Our office represents third-party defendant, MIH Systems, Group, LLC ("MIH") and we write this letter to advise the Court that all of the parties signed the settlement agreement but due to a change in personnel at MIH's insurer the settlement check has not yet been issued. Today MIH's insurer put a rush on the settlement check but the settlement check may not be received by plaintiff's counsel by Monday, July 30, 2018. Plaintiff's counsel advised that he will not file the stipulation of dismissal until he receives the settlement check. We are respectfully requesting that the trial be adjourned a couple of weeks to insure that plaintiff receives the settlement check to avoid the trial.

I contacted plaintiff's counsel and left a voicemail message but I did not receive a return call. I understand that plaintiff's counsel is attending to other matters but wanted to advise the Court of our application today.

We respectfully thank the Court for entertaining MIH's application.

Respectfully submitted,

LONDON FISCHER LLP



Brian A. Kalman

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cc:

To All Counsel By ECF